

**REMARKS**

**Status of Claims:**

Claims 1, 4, 6-8, 10-12 and 14-18 are pending herein. Claims 1, 11 and 14-18 have been amended. Claims 1, 11 and 18 are independent

**Claim Objections**

Claims 14-17 were objected to because as incorrectly designating the independent claim upon which they are dependent. Applicant has corrected the dependency of Claims 14-17 as kindly suggested by the Examiner. It is respectfully submitted that the claim objections have now been overcome.

**Rejection of Claims 1, 4, 6-8, 10-12, 14, 15, 17 and 18 under 35 U.S.C. 102(b)**

Claims 1, 4, 6-8, 10-12, 14, 15, 17 and 18 were rejected under 35 U.S.C. 102(b) as being anticipated by Turner et al. (U.S. Patent No. 6,718,030 B1, hereinafter “Turner”).

This rejection and its supporting remarks are respectfully traversed.

Independent Claim 1 is directed to a method for providing enhanced dial-up capabilities to a network connection. (i) An audio connection is established between a telephone and a centrally located dial server. (ii) Information conveyed by the audio connection is processed to the dial server to obtain a telephone number. (iii) The telephone number is forwarded from the centrally located dial server to a local gateway that has a connection to a network. The audio connection between the telephone and the centrally located dial server is formed across the local gateway, and the connection between the telephone and the dial server is established using a single protocol, the media gateway control protocol. (iv) The telephone number is passed from the local gateway to a call agent.

Turner is directed to a system and method for a Virtual Private Network supported by a plurality of switches that functions as if the customers were served by a single switch (see Abst). As shown in figure 1 of Turner, Call Agent 24 is connected between Gateway 14 and Directory Server 30 which, the Office Action indicates is analogous to the dial server of the Applicant's Invention. To the contrary, in Applicant's specification, the dial server is directly connected to the gateway (Media Telephony Adapter) as shown in figure 1.

Owing to the structural difference noted above, Turner simply does not teach or suggest a method for providing enhanced dial-up capabilities to a network connection in which "the connection between the telephone and the dial server is established using a single protocol, the gateway control protocol" as recited in independent Claim 1 as currently amended. Rather, Turner's method uses two distinct protocols, i.e. a Media Gateway control protocol (between Gateway 14 and Call Agent 24) and a Real Time Protocol (RTP) (between Gateway 14 and telephone 16, 18) between telephone 16,18 and directory server 30. (See Column 4, lines 29-38)

Independent Claims 11 and 18 also include this distinguishable feature, i.e. "the connection between the telephone and the dial server is established using a single protocol, wherein said protocol comprises media gateway control protocol".

For at least the foregoing reason, it is respectfully submitted that independent Claims 1, 11 and 18 are patentable over Turner. Claims 4, 6-8 and 10, and 12 and 14-17 are dependent on respectively, and contain all the limitations of, Claims 1 and 11, and as such are submitted to be patentable for at least the same reason as Claims 1 and 11.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding claim rejections under 35 U.S.C. §102(b).

**Rejection of dependent Claims 9 and 16 under 35 U.S.C. 103(a)**

Claims 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kung et al. (U.S. Patent No. 6,252,952 B1, hereinafter "Kung")<sup>1</sup>.

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<sup>1</sup> Applicants assume that this rejection is in fact based on the *combined* teachings of Turner and Kung, and not just Kung which is recited in paragraph "18" of the Action.

Specifically, the Action takes the position that while Turner fails to teach that the "audio contains DTMF tones", this is "known in the art for supporting an efficient integrated broadband residential gateway as evidenced by Kung". The rejection is respectfully traversed.

Applicants respectfully submit that Kung fails teach or suggest the features of independent Claim 1, 11 and 18 discussed above as missing from Turner, and as Claims 9 and 16 are dependent upon independent Claims 1 and 11, respectively, and contain all of the limitation thereof, Claims 9 and 16 are believed patentable over the cited art for at least the same reason as Claims 1 and 11.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding claim rejection under 35 U.S.C. §103(a).

### **CONCLUSION**

Applicants submit that Claims 1, 4, 6-8, 10-12, 14, 15, 17 and 18 are presently in condition for allowance, early notification of which is earnestly solicited. Should the Examiner be of the view that an interview would expedite consideration of this Amendment or of the application at large, request is made that the Examiner telephone the Applicant's attorney at (908) 518-7700 in order that any outstanding issues be resolved.

### **FEES**

The Office is authorized to charge any fees required to deposit account number 50-1047.

Respectfully submitted,



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